CLASSIFICATION OFFICE DECISION

Title of publication: 13yr + sis(Hussyfan) (pthc) (r@ygold) (babyshivid) 109 Pedofilia 13yr dad.mpg

Other known title(s): Not stated

OFLC ref: 1001389.000

Medium: Computer Moving Image File

Director: Not stated

Country of origin: Not stated

Language: English

Applicant: The District Court at Auckland

Classification: Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 24 August 2010

Date of direction to issue a label: No direction to issue a label has been issued

	Components	Running time
Timed component(s):	13yr + sis(Hussyfan) (pthc) (r@ygold) (babyshivid) 109 Pedofilia 13yr dad.mpg	1:50
Total running time:		1:50

Summary of reasons for decision:

The computer moving image file is deemed objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it promotes and supports the exploitation of children for sexual purposes. The video clip explicitly depicts a man performing a sexual act on a young girl. Apart from being a record of sexual abuse, the publication promotes the view that children are ready and freely available to adults for sexual activity. It is designed to arouse viewers with a sexual interest in children, and serves to legitimise this interest.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children and young persons for sexual purposes.